

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

Raymond E. Chestnut,)
Applicant,)

v.)

State of South Carolina,)
Respondent.)

IN THE COURT OF COMMON PLEAS
FOR THE FIFTEENTH JUDICIAL CIRCUIT

Case Nos. 2013-CP-26-1814, -1815, -1816,
-2915, -2916, -2917

ORDER OF MERGER

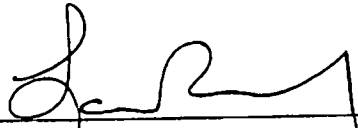
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MELANIE HUBBARD
CLERK OF COURT
HORRY COUNTY

Applicant in the above-captioned matters has filed multiple Applications for Post-Conviction Relief. Docket number 2012-CP-26-1814 challenges an August 2004 plea to assault with intent to kill and unlawful conduct towards a child. Docket number 2012-CP-26-1815 challenged a June 2005 plea to possession of crack cocaine. Docket number 2012-CP-26-1816 challenges a March 2003 plea to contributing to the delinquency of a minor. Docket number 2012-CP-26-2915 challenges a December 2002 plea to enticing an enrolled child from attendance in public or private school. Docket number 2012-CP-26-2916 challenges a December 2002 plea to purse snatching. Docket number 2012-CP-26-2917 challenges a December 2003 plea to unlawful possession of a pistol. By orders dated October 3, 2013, the Honorable Benjamin H. Culbertson dismissed all of Applicant's claims for relief with the exception of his claim he did not waive his right to a direct appeal. Judge Culbertson consolidated the evidentiary hearing on this remaining claim. However, the fact Applicant has six (6) pending circuit court actions creates procedural problems for the Court, the Clerk of Court, and the litigants. Because there is only a single outstanding issue to be adjudicated in each of these actions, the Court finds judicial economy would be best served by merging the remaining actions.

The Horry County Clerk of Court is therefore ordered to merge these cases, with docket number 2012-CP-26-1814 being the surviving case. All future pleadings shall bear docket number 2012-CP-26-1814. Docket number 2012-CP-26-1814 shall now address the issue of whether Applicant is entitled to an appeal from his August 2004 plea to assault with intent to kill and unlawful conduct towards a child, his June 2005 plea to possession of crack cocaine, his March 2003 plea to contributing to the delinquency of a minor, his December 2002 plea to enticing an enrolled child from attendance in public or private school, his December 2002 plea to purse snatching, and his December 2003 plea to unlawful possession of a pistol. The Attorney General's Office shall schedule a hearing on this matter during the February 2, 2015, term for PCR cases in the Fifteenth Circuit.

IT IS THEREFORE ORDERED that the Horry County Clerk of Court merge docket numbers 2012-CP-26-1815, -1816, -2915, -2916, and -2917 into docket number 2012-CP-26-1814, with file 2012-CP-26-1814 being the surviving file and all future pleadings bearing docket number 2012-CP-26-1814.

AND IT IS SO ORDERED this 22 day of Dec 2014.



THE HONORABLE LARRY B. HYMAN JR.
Chief Judge for Administrative Purposes
Fifteenth Judicial Circuit

Conway, South Carolina